

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:19-CV-004-KDB-DCK**

MONICA CLAY,)	
)	
Plaintiff,)	
)	
v.)	<u>ORDER</u>
)	
ANDREW SAUL, COMMISSIONER OF)	
SOCIAL SECURITY,)	
)	
Defendant.)	
_____)	

THIS MATTER is before the Court on the Defendant’s Motion for Summary Judgment Or, Alternatively, Motion to Dismiss (Doc. No. 15), Plaintiff’s Motion for Summary Judgment (Doc. No. 17), the Memorandum and Recommendation and Order of the Honorable Magistrate Judge David C. Keesler (“M&R”) entered November 25, 2019 (Doc. No. 18), Plaintiffs’ Objections to the M&R (Doc. No. 19) and the parties’ associated briefs and exhibits that have been considered in accordance with this Order.

Although the Court need not perform a *de novo* review where, as in this case, a party makes only “general and conclusory objections that do not direct the court to a specific error in the magistrate's proposed findings and recommendations,” *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982), the Court has conducted an independent review of the M&R, Plaintiffs’ Objections thereto, and a *de novo* review of the applicable record. Upon that review, the Court concludes that the recommendation to grant and deny these motions is correct and in accordance with law. For the reasons stated in the M&R, the findings and conclusions of the Magistrate Judge are **ADOPTED**, the Defendant’s motion will be **GRANTED**, the Plaintiff’s motion will be **DENIED** and the Commissioner’s decision will be **AFFIRMED**.

IT IS THEREFORE ORDERED THAT:

- (1) The Magistrate Judge's M&R, (Doc. No. 18), is **ADOPTED**; and
- (2) Defendants' Motion for Summary Judgment Or, Alternatively Motion to Dismiss, (Doc. No. 15), is **GRANTED**;
- (3) Plaintiff's Motion for Summary Judgment, (Doc. No. 17), is **DENIED**; and
- (4) The Commissioner's decision is **AFFIRMED**.

Signed: January 21, 2020

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell
United States District Judge

